

**The City of Springfield, Ohio
City Commission Public Hearing Minutes
Tuesday, August 17, 2021 – 6:55 p.m.
City Hall Forum**

198-21 Vacating the first alley east of Eden Avenue from Mulberry Street north to the first intersecting east-west alley.

The public hearing was called to order by President Copeland. Roll Call was answered by Mrs. Chilton, Dr. Estrop, Mr. Rue, and President Copeland. Mr. O'Neill was absent.

Mr. Copeland inquired from the Clerk if proper legal notice was given on such public hearing.

The Clerk read a communication relative thereto, attached to which were copies of the public hearing notices. Said notices were published in the *Springfield News-Sun* on July 27 and August 3, 2021.

On motion of Dr. Estrop, seconded by Mrs. Chilton, the communication and notice were ordered received, recorded in the minutes, and filed.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

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August 17 2021

Honorable City Commission  
The City of Springfield, Ohio

Honorable Commissioners:

Notice was published in the *Springfield News-Sun*, a newspaper of general circulation within the City, advertising the City Commission's consideration of vacating the first alley east of Eden Avenue from Mulberry Street north to the first intersecting east-west alley.

Attached hereto are true and correct copies of the Notices of Public Hearing published on July 27 and August 3, 2021.

Respectfully submitted,

Jill R. Pierce  
Clerk of the City Commission

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First Notice

NOTICE OF PUBLIC HEARING
PROPOSED RIGHT-OF-WAY VACATION

Notice is hereby given that on May 3, 2021, property owners of 1116-1118 West Mulberry Street, filed with the Clerk of the City Commission of The City of Springfield, Ohio, a certain petition praying for the vacation of the first alley east of Eden Avenue from Mulberry Street north to the first intersecting east-west alley.

Notice is hereby further given that a Public Hearing will be held on Tuesday, August 17, 2021, at 6:55 p.m. (local time), in the City Commission Forum, City Hall, 76 East High Street, Springfield, Ohio, to consider the vacation of said right-of-way. Details on how to participate can be found on the City's website, www.springfieldohio.gov or by calling the City Clerk's Office at 937-324-7341.

By order of the City Commission of The City of Springfield, Ohio.

Jill R. Pierce
Clerk of the City Commission

7-27/2021

Second Notice

NOTICE OF PUBLIC HEARING
PROPOSED RIGHT-OF-WAY VACATION

Notice is hereby given that a Public Hearing will be held on Tuesday, August 17, 2021, at 6:55 p.m. (local time), in the City Commission Forum, City Hall, 76 East High Street, Springfield, Ohio, to consider the vacation of the first alley east of Eden Avenue from Mulberry Street north to the first intersecting east-west alley. Details on how to participate can be found on the City's website, www.springfieldohio.gov or by calling the City Clerk's Office at 937-324-7341.

This notice has been published on the State of Ohio public notice website at www.publicnoticesohio.com and can also be viewed at www.springfieldnewssun.com.

By order of the City Commission of The City of Springfield, Ohio.

Jill R. Pierce
Clerk of the City Commission

Stephen Thompson, Community Development Deputy Director, City of Springfield, Ohio
76 East High Street, 937-324-7674, sthompson@springfieldohio.gov
8-3/2021

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Mr. Copeland then called upon Community Development Deputy Director Thompson for a staff report. He reported as follows:

## **GENERAL INFORMATION**

On May 3, 2021, co-applicants Kelly Randall, John O'Connor, and Michael Smouse of 1116 West Mulberry Street, and Jacob and Leslie Putnam of 1118 West Mulberry Street, Springfield, Ohio 45506 filed a request to vacate the first alley east of Eden Avenue from Mulberry Street north to the first intersecting east-west alley. The applicants state in their application various reasons for requesting vacation including volume and speed of traffic which children and animals play; kids taunting animals, throwing rocks, and damaging property; attempted theft; and garage access for both properties from the alley.

## **RETURNED REPORTS**

|                          |                                                                                                                          |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------|
| Columbia Gas:            | No objections.                                                                                                           |
| Spectrum:                | No objections; no issues with the alley vacation as long as we can continue to have access to our lines for maintenance. |
| AT&T:                    | No objections.                                                                                                           |
| Ohio Edison:             | No objections; have facilities within the alley. Access rights and easement right must be maintained.                    |
| City Service Department: | No objections.                                                                                                           |
| Building Inspections:    | No objections.                                                                                                           |
| Fire Division:           | No objections.                                                                                                           |
| Police Division:         | No objections                                                                                                            |
| Planning and Zoning:     | The applicants are the owners on either side of the alley.                                                               |

## **RECOMMENDATION**

Staff members recommended approval and members of the City Planning Board unanimously recommended approval to vacate the subject right of way.

## **COMMENTS**

Mr. Copeland asked if there were comments from the Commission.

Mrs. Chilton asked if there were any objections at the City Planning Board meeting and also asked about a cross access easement. Mr. Thompson stated there were no objections at the Planning Board meeting and noted the cross access easement was received.

Ms. Kelly Randall and Mr. Mike Smouse of 1116 Mulberry Street spoke as two of the applicants for the right-of-way vacation. They stated the previous owners had the alley paved which is why they believe more nearby residents choose to use the alley as opposed to other nearby alleys. The speakers commented on issues with attempted dog theft, safety issues for children playing nearby, trash, and speeding motorists.

Mr. Rue asked if the connecting alley perpendicular to the open is open to the public, and Mr. Thompson confirmed that is it open.

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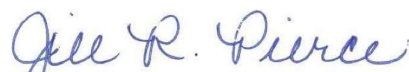
There being no further business, on motion of Dr. Estrop, seconded by Mr. Rue, the public hearing adjourned.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.



PRESIDENT OF THE CITY COMMISSION



CLERK OF THE CITY COMMISSION